

AN ORDINANCE REPEALING CHAPTER 14 OF THE MUNICIPAL CODE OF THE CITY OF CLAYTON, MISSOURI, AS AMENDED RELATING TO THE MINIMUM REGULATIONS GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES AND ENACTING IN LIEU THEREOF, A NEW CHAPTER 14 KNOWN AS THE PROPERTY MAINTENANCE CODE SO AS TO ADOPT THE 2006 INTERNATIONAL PROPERTY MAINTENANCE CODE, FIRST EDITION, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, AS ATTACHED, WITH CERTAIN MODIFICATIONS AS HEREINAFTER SET FORTH.

WHEREAS, three (3) copies of the referenced code and adopted in this ordinance, have been filed in the office of the city clerk and kept available for public use, inspection, and examination for a period of at least ninety (90) days prior to the adoption of this ordinance and will, following the adoption of this ordinance, be similarly filed and kept available in the office of the city clerk.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF CLAYTON, MISSOURI AS FOLLOWS:

Section 1. Chapter 14 of the Municipal Code of the City of Clayton, Missouri, is hereby repealed and a new Chapter 14 known as the Property Maintenance Code is hereby enacted in lieu thereof, so as to adopt the 2006 International Property Maintenance Code, First Edition so that said Chapter 14 shall read as follows:

CHAPTER 14 PROPERTY MAINTENANCE

Section 141 ADOPTION The 2006 International Property Maintenance Code, First Edition, as published by the International Code Council, three copies of which are on file in the office of the City Clerk is hereby adopted as the Property Maintenance Code of the City of Clayton, Missouri for the control of existing structures, premises and exterior property as herein provided, and all of the regulations, provisions, penalties, conditions and the terms of the International Property Maintenance Code, First Edition, 2006 are hereby referred to, adopted and made a part hereof, as if fully set out in this ordinance with the amendments, additions, insertions, and deletions prescribed in Section 142 of this Chapter:

Section 142 ADDITIONS, INSERTIONS, DELETIONS AND CHANGES The following numbered sections and subsections of the International Property Maintenance Code, First Edition, 2006 are hereby amended by additions, insertions, deletions and changes so that such amended sections and subsections shall read as follows:

Chapter 1

ADMINISTRATION

SECTION 101 GENERAL

Section 101.1 is amended to read as follows:

Section 101.1 Title: These regulations shall be known as the Property Maintenance Code of the City of Clayton, Missouri, hereinafter referred to as "this Code."

SECTION 103 DEPARTMENT OF PROPERTY MAINTENANCE INSPECTION

Section 103.3 Deputies: DELETED WITHOUT SUBSTITUTION

Section 103.5 is amended to read as follows:

Section 103.5 Fees: The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be in accordance with the fee schedule as established by the City of Clayton, Missouri.

SECTION 104 DUTIES AND POWERS OF CODE OFFICIAL

Section 104.1 is amended to read as follows:

Section 104.1 General: The code official shall enforce all the provisions of this code.

Section 104.4 is amended to read as follows:

Section 104.4 Right of Entry: If any owner, occupant or other person in charge of a structure subject to the provisions of this Code refuses, impedes, inhibits, interferes with, restricts, or obstructs entry and free access to any part of the structure or premises where inspection authorized by this Code is sought, the administrative authority shall be permitted to seek, in a court of competent jurisdiction, an order that such owner, occupancy or other person in charge cease and desist with such interference.

Section 104.7 is amended to read as follows:

Section 104.7 Official Records: An official record shall be kept of all business and activities of the department specified in the provisions of this Code, and all such records shall be opened to public inspection at all appropriate times and under regulations necessary to maintain the integrity and security of those records and to safeguard certain confidential information, contained in such records.

SECTION 105 APPROVAL

Section 105.4 is amended to read as follows:

Section 105.4 Used Materials and Equipment: Materials, equipment and devices shall not be reused unless such materials have been reconditioned, tested and placed in good and proper working condition and approved for use by the Code Official.

SECTION 106 VIOLATIONS

Section 106.3 is amended to read as follows:

Section 106.3 Prosecution: In case of any unlawful acts or failure to comply with a violation notice, the Code Official shall institute an appropriate action or proceeding at law to exact the penalty provided in Section 106.4. Also, the Code Official shall ask the jurisdiction's legal representative to proceed at law or in equity against the *person* responsible for the violation for the purpose of ordering that *person*:

1. To restrain, correct or remove the violation or refrain from any further execution of work;
2. To restrain or correct the erection, installation, maintenance, repair or alteration of such *structure*;
3. To require the removal of work in violation, or;
4. To prevent the occupancy or use of the *structure* which is not in compliance with the provisions of this Code.

Section 106.4 is amended to read as follows:

Section 106.4 Penalty: Any *person*, firm or corporation, who shall violate any provisions of this Code shall, upon conviction thereof, be subject to a fine of not less than \$50 nor more than \$1,000 or imprisonment for a term not to exceed 90 days, or both, at the discretion of the court. Each day that a violation continues after due notice has been served, in accordance with the terms and provisions hereof, shall be deemed a separate offense.

SECTION 107 NOTICES AND ORDERS

Section 107.2 is amended to read as follows:

Section 107.2 Form: Such notice prescribed in Section 107.1 shall:

1. Be in writing or by personal contact with the owner/operator;
2. Include a description of the real estate sufficient for identification;
3. Include a statement of the violation(s) or reason(s) why the notice is being issued, and;
4. Include a correction order allowing a reasonable time for the repairs and improvements

required to bring the dwelling unit or structure into compliance with the provisions of this Code.

Section 107.3 is amended to read as follows:

Section 107.3 Method of Service: Such notice shall be deemed to be properly served if a copy thereof is: 1. Delivered to the owner personally by leaving the notice at the usual place of abode in the presence

of someone in the family of suitable age and discretion who shall be informed of the contents thereof,

2. By certified or registered mail addressed to the owner at the last known address with return receipt

requested. If the certified or registered letter is returned by showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.

Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner.

Section 107.5 is amended to read as follows:

Section 107.5 Transfer of Ownership: It shall be unlawful for the owner of any multifamily unit or rental structure containing three or more units to sell, transfer, mortgage, lease or otherwise dispose of to another unless the owner or designated representative has notified the City of Clayton at least thirty (30) days in advance, received an inspection report and compliance order or notice of violation and have complied with the same or until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the Code Official and shall furnish to the Code Official a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition including the responsibility to submit a work schedule and receive approval from the City of Clayton for making the corrections or repairs required by such compliance order or notice of violation.

It shall also be unlawful for the owner of any rental building containing two or more units to convert from a rental building to a condominium unless the owner, or designated representative has applied to the City of Clayton and provided all required documentation for approval of the Condominium Conversion, received an inspection and compliance order or Notice of violation and has complied with the same. Newly constructed condominium structures must apply to the City for condominium approval from the Board of Aldermen, provide the required documentation, and secure the concurrence of the Department of Planning and Development Services that the construction is progressing according to all submitted plans and all applicable codes.

SECTION 108 UNSAFE STRUCTURES AND EQUIPMENT

Section 108.1 is amended to read as follows:

Section 108.1 General: When a structure or equipment, or part thereof, is found by the Code Official to be unsafe, or when a structure or part thereof is found unfit for human occupancy or use, or is found unlawful, such structure shall be condemned pursuant to the provisions of this Code and shall be placarded, vacated and shall not be reoccupied without approval of the Code Official. Unsafe equipment shall be placarded and placed out of service.

Section 108.1.3 is amended to read as follows:

Section 108.1.3 Structure Unfit for Human Occupancy: A structure is unfit for human occupancy or use whenever the Code Official finds that such structure is unsafe, unlawful or because of the degree in which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rodent infested, contains filth and contamination or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this Code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

Section 108.1.5 is amended to read as follows:

Section 108.1.5 Public Nuisance: Any structure found to have the following deficiencies shall be deemed to be detrimental to the health, safety or welfare of the residents of the City of Clayton, Missouri and shall be declared a public nuisance.

1. Any structural wall, earth retaining wall, column or other supporting structural member which leans, or is damaged or indicating a lack of structural integrity that is likely to collapse partially or completely and cause injury to the occupants or members of the public.
2. Floor, roof, wall structural member or structural connection which is overloaded or which has insufficient strength to be safe for the purpose used so as to be likely to collapse and injure the occupants or members of the public.
3. A structure or part thereof which has been so damaged by fire, wind, or other causes, so as to become dangerous to the occupants or members of the public.
4. A structure or part thereof which because of the degree of disrepair or lack of maintenance is so unsanitary, vermin or rat infested, filthy or contaminated, or lacking in ventilation, sanitary facilities, heating facilities or other code required equipment that is hazardous to the health or safety of the occupants or members of the public.
5. Any structure which has been unoccupied over a period of time and has been allowed to deteriorate during that time and said structure or premises is not being properly maintained or secured against entry by unauthorized persons so as to be detrimental to the neighborhood.

Section 108.2 is amended to read as follows:

Section 108.2 Closing of Vacant Structures: If the structure or part thereof is vacant and unfit

for human habitation, occupancy or use and is not in danger of structural collapse, the Code Official is authorized to post a placard of condemnation on the premises and order the structure closed up so as not to be an attractive nuisance. Upon failure of the owner to close up the premises within the time specified in the order, the Code Official shall cause the premises to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and may be collected by any other legal resource.

SECTION 109 EMERGENCY MEASURES

Section 109.5 is amended to read as follows:

Section 109.5 Cost of Emergency Repairs: If it is necessary for the code official to contract material and labor in an emergency situation, the jurisdiction shall pay said costs incurred. If said costs are not voluntarily remitted to the City by the owner, the legal counsel of the jurisdiction shall institute appropriate action against the owner of the premises where the unsafe structure is or was located for the recovery of such costs.

Section 109.6 Hearing: DELETED WITHOUT SUBSTITUTION

SECTION 110 DEMOLITION

Section 110.1 is amended to read as follows:

Section 110.1 General: Any *structure* which is found to be detrimental to the health, safety and welfare of the residents of the City of Clayton, Missouri, and which is declared to be a nuisance by the Code Official shall be vacated and demolished or repaired in strict conformance with this and all referenced codes in the time frame set forth in the notice or as agreed upon by the Code Official.

Section 110.2.1 is added to read as follows:

Section 110.2.1 Service: The notice of declaration of nuisance shall be served on the affected parties, consisting of owner, occupants, lessee, mortgagee, agent and all persons having an interest in the property, all as shown by the records of the St. Louis County Recorder of Deeds Office. The notice shall be served personally or by certified mail, return receipt requested, or if service cannot be had by either of these modes of service, then by at least one publication in the St. Louis Post Dispatch. The affected parties shall have not less than thirty (30) days from the date of service to complete demolition or to begin the repairs.

Section 110.2.2 is added to read as follows:

Section 110.2.2 Notice of Hearing: If the affected parties fail to commence work on repairs or complete demolition within the time specified, or fail to proceed continuously with the work without unnecessary delay, the Director of the Department of Planning & Development Services shall call a hearing upon the matter, giving the affected parties

twenty-one (21) days written notice of the hearing. Said notice must be served personally or by certified mail, return receipt requested, or if service cannot be had by either of these modes of service, then by at least one publication in the St. Louis Post Dispatch.

Section 110.3 is amended to read as follows:

Section 110.3 Hearing: The Director of Planning or his/her authorized representative shall conduct a full and adequate hearing. Any affected party may be represented by counsel and all affected parties shall have an opportunity to be heard. After the hearing, if the evidence supports a finding that the structure is a nuisance and detrimental to the health, safety or welfare of the residents of the City of Clayton, Missouri, the Director of the Department of Planning & Development Services shall issue a post-hearing order making specific findings of facts, based on competent and substantial evidence and order the structure to be demolished and removed, or repaired. The post-hearing order shall be served in the same manner as the notice of declaration of nuisance and pre-hearing order. The post-hearing order shall contain a date certain for completion of the required action.

Section 110.3.4 is added to read as follows:

Section 110.3.4 Upon Failure to Obey Post-Hearing Order. If any post-hearing order of the Director of the Department of Planning is not obeyed within thirty (30) days after its issuance, and if appeal of any post-hearing order is not made to the Circuit Court as provided for in this ordinance within 30 days after issuance of any such order, the Director of the Department of Planning shall cause such structure to be vacated and repaired or demolished as provided in the post-hearing order. The Director of Planning shall certify the cost for such action, including all administrative costs, to the Director of Finance, who shall cause a special tax bill against the property to be prepared, filed and collected. Said tax bill shall be a lien upon said property, said lien shall bear interest at the rate set by the Missouri Division of Finance on the date the lien is filed.

Section 110.4 is amended to read as follows:

Section 110.4 Salvage Materials: When any *structure* has been ordered razed and removed, the governing body or other designated officer under said contract or arrangement aforesaid shall have the right to sell the salvage and valuable materials at the highest price obtainable. The net proceeds of such sale, after deducting the expenses of such razing and removal, shall be promptly remitted with a report of such sale of transaction, including the items of expense and the amounts deducted, for the use of the *person* who is entitled thereto, subject to any order of a court. If such a surplus does not remain to be turned over, the report shall so state.

SECTION 111 MEANS OF APPEAL

Section 111.1 Application for Appeal: DELETED WITHOUT SUBSTITUTION

Section 111.2 Membership of the Board: DELETED WITHOUT SUBSTITUTION

Section 111.2.1 Alternate Members: DELETED WITHOUT SUBSTITUTION

Section 111.2.2 Chairman: DELETED WITHOUT SUBSTITUTION

Section 111.2.3 Disqualification of Member: DELETED WITHOUT SUBSTITUTION

Section 111.2.4 Secretary: DELETED WITHOUT SUBSTITUTION

Section 111.2.5 Compensation of Members: DELETED WITHOUT SUBSTITUTION

Section 111.3 Notice of Meeting: DELETED WITHOUT SUBSTITUTION

Section 111.4 Open Hearing: DELETED WITHOUT SUBSTITUTION

Section 111.4.1 Procedure: DELETED WITHOUT SUBSTITUTION

Section 111.5 Postponed Hearing: DELETED WITHOUT SUBSTITUTION

Section 111.6 Board Decision: DELETED WITHOUT SUBSTITUTION

Section 111.6.1 Records and Copies: DELETED WITHOUT SUBSTITUTION

Section 111.6.2 Administration: DELETED WITHOUT SUBSTITUTION

Section 111.7 Court Review: DELETED WITHOUT SUBSTITUTION

Section 111.8 Stays of Enforcement: DELETED WITHOUT SUBSTITUTION

SECTION 112 OCCUPANCY PERMITS

Section 112.1 is added to read as follows:

Section 112.1 Occupancy Permits and Transfer of Ownership: It shall be unlawful for any owner or operator of a multifamily rental building containing three (3) or more units to let to another for occupancy, or for any person to occupy any dwelling unit subject to the Occupancy Permit Program unless the exterior, common areas and dwelling unit of the building have been inspected by the Code Official and it has been determined that it is in compliance with all the provisions of this Code, and a permit has been issued to said owner or operator for the dwelling unit which will allow the prospective tenant family to legally occupy said dwelling unit. No tenant shall move in or occupy any dwelling unit without the knowledge or approval of the owner and the receipt of an Occupancy Permit for the unit. Occupancy permits shall remain valid until the occupancy of the unit(s) changes or the permit otherwise expires.

Any occupancy permit properly issued will terminate:

1. Upon vacation of the dwelling unit by a tenant.
2. After five (5) years from the date of issuance of an occupancy permit, at which time the unit must be reinspected and deficiencies corrected.

Section 112.2 is added to read as follows:

Section 112.2 Conditions for Issuance of Occupancy Permit:

1. Upon request of the owner or operator of a building subject to the Occupancy Permit Program and payment of the inspection fee, the Code Official shall inspect the exterior, common areas and dwelling unit(s) at a time agreed upon between the Code Official and the owner or operator.

If such inspection establishes that the building and dwelling unit(s) is in compliance with the Code, the Code Official shall authorize the issuance of an Occupancy permit.

2. If the exterior, common areas and dwelling unit(s) are not in full compliance with this Code, the Code Official shall furnish the owner/operator with a written list of violations that must be corrected before an Occupancy permit can be issued and the dwelling unit occupied. When advised by the owner/operator that the violations are corrected and upon payment of any required reinspection fee, the exterior, common areas and dwelling unit(s) shall be reinspected by the Code Official and if found to be in full compliance with this Code, the Occupancy permit shall be issued and the unit may be occupied.
3. Fees for occupancy permits and inspections shall be paid as provided for in accordance with the fee schedule as established by the City of Clayton, Missouri.

The provision for a higher fee does not release the owner from responsibility to follow all the provisions of the Code for compliance related to the issuance of an Occupancy Permit.

Section 112.3 is added to read as follows:

Section 112.3 Occupancy Permits, Non-Residential Structures: It shall be unlawful for any person, owner or operator to occupy or use or to permit occupancy or use of any premises for any purpose until a Certificate of Occupancy has been issued by the Code Official.

No such certificate shall be issued unless said premises has been inspected by the Code Official and the premises is in compliance with this Code and all zoning regulations.

Section 112.3.1 is added to read as follows:

Section 112.3.1 Fees: Fees for occupancy permits and inspections shall be paid as provided for in accordance with the fee schedule as established by the City of Clayton, Missouri.

Section 112.3.2 is added to read as follows:

Section 112.3.2 Revocation of Permit: Any Occupancy permit issued shall become invalid after ninety (90) days if the premises are not occupied during that time by the authorized tenant, nor shall any Occupancy permit be issued for any premises if more than ninety (90) days has elapsed since the date of inspection.

Chapter 2

DEFINITIONS

SECTION 201 GENERAL

Section 201.3 is amended to read as follows:

Section 201.3 Terms defined in other codes: Where terms are not defined in this chapter and are defined in the City of Clayton Zoning Ordinance, building, plumbing and mechanical codes listed in Chapter 8, they shall have the same meanings ascribed to them as in those codes.

SECTION 202 GENERAL DEFINITIONS

Definitions are added to read as follows:

Carriage House: per Zoning Ordinance definition.

One-family dwelling: A building containing one dwelling unit.

Two-family dwelling: A building containing two dwelling units.

Multi-family condominium building: A building containing three (3) or more dwelling units that has been legally converted to condominium according to Missouri State Law and where units are individually owned and all land, property, structures, improvements contained therein or thereon are for the mutual use and benefit of the unit owners.

Multi-family rental building: A building containing three (3) or more dwelling units which are let for rent/lease or other consideration and where the units are not owned individually or as part of a cooperative.

Family: Per Zoning Ordinance definition.

Graffiti: Markings, drawings or other visual depictions, either graphic or written, placed upon any exterior surface including, but not limited to, building, window, retaining wall, fence, trash containers, accessory building or driveway.

Chapter 3 GENERAL REQUIREMENTS

SECTION 301 GENERAL

Section 301.2 is amended to read as follows:

Section 301.2 Responsibility: The owner of the premises shall maintain the structures and exterior property in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy or use premises which do not comply with the requirements of this chapter.

SECTION 302 EXTERIOR PROPERTY AREAS

Section 302.2 is amended to read as follows:

Section 302.3 Sidewalks and Driveways: The owner is responsible to keep all sidewalks, walkways, stairs, driveways, parking spaces and similar areas in a proper state of repair, and maintained free from hazardous conditions. Stairs shall also comply with the requirements of Sections 304.10.

Section 302.4 is amended to read as follows:

Section 302.4 Weeds: All premises and exterior property shall be maintained free from weeds in excess of 6 inches (152.4mm). All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

Section 302.4.1 is added to read as follows:

Section 302.4.1 Landscaping: Lawn areas and landscaping shall be properly maintained by the owner. Plants and grass that have deteriorated or died shall be replaced and additional planting shall be provided if required by the Code Official. Screening or additional planting around refuse containers may also be required to assure the desirable residential character of the premises. The premises and exterior property shall be maintained free from grass and weeds in excess of 6 inches.

Section 302.4.2 is added to read as follows:

Section 302.4.2 Tree Maintenance and Removal: The maintenance, upon private property, of dead or dying trees or tree limbs or branches which, by reason of their location, size or state of deterioration, constitute a danger to the public health, safety or welfare, or the maintenance upon private property of trees which are infected with Dutch Elm or other contagious disease or blight, dangerous to persons, animals, other trees or plant life, is declared to be a nuisance and must be removed. Tree stumps shall be removed to grade level and completely ground to blend into the surrounding yard.

Section 302.7 is amended to read as follows:

Section 302.7 Accessory Structures and Parking Areas: All accessory structures, including detached garages, underground garages, fences and walls shall be maintained in structurally sound condition and in good repair. All parking areas and portions of yards of multiple dwellings used for parking permitted by the Zoning Ordinance shall be surfaced with two (2) inches of asphaltic concrete over a six (6) inch rock base or not less than five (5) inches of concrete.

Section 302.7.1 is added to read as follows:

Section 302.7.1 Underground Garages: Underground garages should be waterproof so as to prevent deterioration of structural member and/or a nuisance to parked vehicles.

Section 302.8 is amended to read as follows:

Section 302.8 Motor Vehicles and Parking Areas: Parking areas and garages shall be used only for the parking of private tenant automobiles which have current license plates and are in

working condition. No vehicle(s) shall be stored in a garage, carport or other parking area in excess of thirty (30) days unless unusual circumstances warrant such storage and written permission is given by the Code Official for a longer period.

Section 302.9 is amended to read as follows:

Section 302.9 Graffiti & Defacement of Property: No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti. It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair.

SECTION 304 EXTERIOR STRUCTURE

Section 304.1 is amended to read as follows:

Section 304.1 General. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare. General repairs shall be made in a workmanlike manner using identical or, if not available, similar material as the original installation.

Section 304.3.1 is added to read as follows:

Section 304.3.1 Buildings with Rear Alleys: Buildings shall have approved numbers placed at the rear of the property so as to be visible from the alley.

Section 304.10 is amended to read as follows:

Section 304.10 Stairways, Decks, Porches, Balconies and other Walking Surfaces: Every stair, ramp, balcony, porch, deck or other walking surface, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads. Every stair shall have uniform risers and treads with nonskid surfaces. Every stair, porch, or fire escape shall be maintained free of hazardous conditions such as snow, ice, mud and debris. No stairs or fire escape shall be blocked by any material at any time.

Section 304.13 is amended to read as follows:

Section 304.13 Windows, Skylights, Doors and Door Frames: Every window, skylight, door and door frames shall be kept in sound condition, good repair and weather tight. Window frames must be solid without evidence of rust, rot or decay and must be capable of tightly securing the window. Every operable window must be supplied with window hardware including locks. If more than 60% of the windows in a unit or structure are in violation of the Code and, in the opinion of the Code Official, must be replaced due to age or condition, then the owner shall replace all windows within that unit/structure.

Section 304.13.1 is amended to read as follows:

Section 304.13.1 Window Glazing: Window glazing shall be maintained free of cracks or holes and must also be clean and kept free of mud, dirt and other matter that reduces visibility.

Section 304.14 is amended to read as follows:

Section 304.14 Insect Screens: Every door, window (other than windows designed to be fixed) and other outside opening serving any building containing habitable dwelling units or rooms, food preparation areas, or any areas where products used in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch and every swinging door shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

Section 304.16 is amended to read as follows:

Section 304.16 Basements and Hatchways: Every basement hatchway shall be maintained to prevent the entrance of rodents, rain and surface drainage water. No water is to remain standing. Water must be drained completely.

SECTION 305 INTERIOR STRUCTURE

Section 305.1 is amended to read as follows:

Section 305.1 General: The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition.

Section 305.1.1 is added to read as follows:

Section 305.1.1 Owner/Operator Contact: Every multifamily rental building containing three (3) or more units shall have posted in a conspicuous location in the common area of the building, the name and telephone number of the owner, operator, or maintenance personnel who can be reached in case of emergency or in the event of building related problems. Such information must be valid for weekends, after hours and holidays as well as regular working hours. All owners/operators residing outside St. Louis County must register with the City of Clayton a local agent who has been designated in writing by the owner to receive service of legal action.

Section 305.3.1 is added to read as follows:

Section 305.3.1 Hallways and Common Areas: The interior hallways, stairwells, laundry rooms, basements and other common areas in all multifamily buildings must be kept in a clean and sanitary manner. Circulars, newspapers and like materials must not litter the hallways. Chipped, peeling or faded flooring must be repaired or replaced.

Section 305.3.2 is added to read as follows:

Section 305.3.2 Basement and Storage Facilities: The basement and storage facility of any multifamily building must be kept clean, sanitary and free of debris; storage must be contained in the bins or like facility designated for that use, where such storage facilities exist. If no such storage facilities exist, storage must be neatly stacked at least three (3) feet from any mechanical equipment for noncombustible items and at least ten (10) feet from any mechanical equipment for combustible items. At least a ten (10) foot clear passage to the door(s) must be provided. No volatile materials should be stored in the basement or other common areas.

Section 305.4 is amended to read as follows:

Section 305.4 Walking Surfaces: All interior stairs and railings shall be maintained in good repair, structurally sound and in a sanitary condition. No interior stairway or landing may be blocked by any material at any time.

SECTION 306 HANDRAILS AND GUARDRAILS

Section 306.1.1 is added to read as follows:

Section 306.1.1 Returns: During new construction or modification of existing handrails, said handrails shall be modified or returned into the wall in such a way that an article of clothing or items cannot be caught on a protruding handrail.

SECTION 307 RUBBISH AND GARBAGE

Section 307.1 is amended to read as follows:

Section 307.1 Accumulation of Rubbish or Garbage: All exterior property and premises and the interior of every structure, shall be free from any accumulation of rubbish, garbage, debris and yard waste.

Section 307.1.1 is amended to read as follows:

Section 307.1.1 Cleanliness: Every occupant of a single family structure shall keep that part of the structure and exterior property which such occupant occupies, controls or uses in a clean and sanitary condition. Every owner of a structure containing a rooming house, a hotel, a dormitory, two or more dwelling units, or nonresidential occupancies shall maintain in a clean and sanitary condition, the shared or public areas of the structure and exterior property.

Section 307.3.3 is added to read as follows:

Section 307.3.3 Recycling Container: The owner of every occupied premise(s) shall provide adequate City of Clayton approved recycling containers for the use by the occupants.

SECTION 308 EXTERMINATION

Section 308.1 is amended to read as follows:

Section 308.1 Infestation: All structures shall be kept free from insect and rodent infestation. All structures in which insects or rats are found shall be promptly exterminated by approved process that will not be injurious to human health. After extermination, proper precautions shall be taken to prevent reinfestation by continued treatment and elimination of the source of food supply and/or habitat.

Section 308.3 is amended to read as follows:

Section 308.3 Single Occupancy: The occupant of a structure containing a single dwelling unit

or of a single nonresidential structure shall be responsible for the extermination of any insects, rodents or other pests on the premises.

Section 308.4 is amended to read as follows:

Section 308.4 Multiple Occupancy: The owner of a structure containing two or more dwelling units, a multiple occupancy, a rooming house or a nonresidential structure, shall be responsible for extermination.

Section 308.5 Occupant: DELETED WITHOUT SUBSTITUTION

Chapter 4

LIGHT, VENTILATION AND OCCUPANCY LIMITATIONS

SECTION 402 LIGHT

Section 402.2 is amended to read as follows:

Section 402.2 Common Halls, Stairways and Entrance Doors: Every common hall and stairway in residential occupancies, other than one and two family dwellings, shall be illuminated at all times with at least a 60-watt standard incandescent light bulb for each 200 square feet (19m²) of floor area or equivalent illumination, provided that the spacing between lights shall not be greater than 30 feet (9144mm). Every exterior entrance door to a multifamily building must be lighted with a minimum 60-watt standard incandescent light bulb over the entrance doorway. In other than residential occupancies, means of egress, including exterior means of egress, stairways shall be illuminated at all times the building space served by the means of egress is occupied with a minimum of 1 foot-candle (11 lux) at floors, landings and treads.

SECTION 404 OCCUPANCY LIMITATIONS

Section 404.4.1 is amended to read as follows:

Section 404.4.1 Area for Bedrooms: Every bedroom occupied by one occupant shall contain at least seventy (70) square feet of floor area, and every bedroom occupied by more than one person shall contain at least fifty (50) square feet of floor area for each occupant thereof.

Section 404.5 is amended to read as follows:

Section 404.5 Overcrowding: Dwelling units shall not be occupied by more occupants than permitted by the minimum occupancy requirements of Table 404.5 nor more than maximum number of occupants per bedroom(s) as provided for in Section 404.4.1. No dwelling unit shall be occupied by more than one family as defined in the Zoning Ordinance.

Table 404.5 is added to read as follows:

TABLE 404.5

Minimum Occupancy Requirements

| Space | 1-2 Occupants | 3-5 Occupants | 6 or More |
|-------------------|---|---------------|-----------|
| Living Area Space | No Requirement | 200 | 250 |
| Kitchen | 50 | 50 | 60 |
| Bedrooms: | Shall comply with Section 405.3 and shall be considered an area separate from the living area space requirement | | |

Chapter 6

MECHANICAL AND ELECTRICAL REQUIREMENTS

SECTION 602
HEATING FACILITIES

Section 602.2 is amended to read as follows:

Section 602.2 Residential Buildings: Every dwelling unit shall be provided with heating facilities capable of maintaining a room temperature of 68 degrees F. at a level of three (3) feet (914 mm) above the floor and a distance of three (3) feet (914 mm) from the exterior walls in all habitable rooms, bathrooms and toilet rooms.

Section 602.3 is amended to read as follows:

Section 602.3 Heating Supply: Every owner and operator of any building who rents, leases or lets one or more dwelling unit, rooming unit, dormitory or guest room on terms, either express or implied, to furnish heat to the occupants thereof shall supply sufficient heat during the period from October 1 to April 30 to maintain a room temperature of not less than 68 degrees F. in all habitable rooms, bathrooms and toilet rooms during the hours between 6:30 a.m. and 10:30 p.m. of each day and not less than 65 degrees F. during other hours. The temperature shall be measured at a point three (3) feet (914 mm) above the floor and three (3) feet (914 mm) from the exterior walls.

Section 602.4 is amended to read as follows:

Section 602.4 Occupiable Work Spaces: Every enclosed occupied work space shall be supplied with sufficient heat during the period from October 1 to April 30 to maintain a temperature of not less than 68 degrees F during working hours. The temperature shall be measured at a point three (3) feet (914 mm) above the floor and three (3) feet (914 mm) from the exterior wall.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activity.

SECTION 603 MECHANICAL EQUIPMENT

Section 603.1 is amended to read as follows:

Section 603.1 Mechanical Appliances: All mechanical appliances, fireplaces, solid fuel burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended function. Window air conditioners shall be installed with proper air conditioner brackets.

SECTION 604 ELECTRICAL FACILITIES

Section 604.2 is amended to read as follows:

Section 604.2 Service: Every dwelling unit shall be served by a main service that is not less than 60 ampere, three wires. Fuse protection shall be circuit breaker or type "S" fusing.

SECTION 605 ELECTRICAL EQUIPMENT

Section 605.2 is amended to read as follows:

Section 605.2 Receptacles: Every habitable space in a dwelling unit shall contain at least two separate and remote receptacle outlets. Every laundry, basement, crawl space, wet bar sink and garage that contains a receptacle(s), that/those outlet(s) must be grounded. New outlet installations must be ground fault interrupter units. Every bathroom and kitchen shall contain at least one receptacle and such outlet or outlets shall be approved ground fault interrupter units.

Chapter 7

FIRE SAFETY REQUIREMENTS

SECTION 702 MEANS OF EGRESS

Section 702.1 is amended to read as follows:

Section 702.1 General: A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way. Means of egress shall comply with the International Fire Code. Basement storage shall be properly located in designated storage areas.

Section 702.5 is added to read as follows:

Section 702.5 Corridor Enclosure: All corridors serving an occupant load of greater than 30 and openings therein shall provide an effective barrier to resist the movement of smoke. All transoms, louvers, doors and other openings shall be closed or shall be self-closing.

Exceptions:

1. Louvers or grills for the movement of conditioned air shall be permitted in exit access corridor enclosure walls or doors provided an approved smoke detection system is installed in the corridor. The smoke detection system shall sound an audible alarm in the building and automatically shut off all mechanical air handling equipment. This exception shall not apply to openings into shaft or exit stairway enclosures.

SECTION 703 FIRERESISTANCE RATINGS

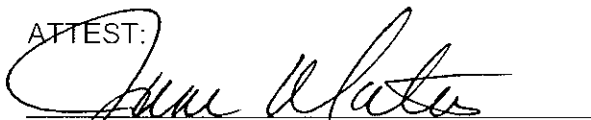
Section 703.2 is amended to read as follows:

Section 703.2 Opening Protectives: All required fire doors and smoke barriers shall be maintained in good working order, including all hardware necessary for the proper operation thereof. Fire doors shall not be held open by door stops, wedges and other unapproved hold-open devices. Fire doors shall include an attached door closer so that the door cannot be left in an open position. Fire and smoke barriers shall not be blocked or obstructed or otherwise made inoperable.

Section 2. This ordinance shall be in full force and effect from and after its passage by the Board of Aldermen.

Passed this 26th day of August 2008


Mayor

ATTEST:

City Clerk